UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:17-cv-311-FDW

WILLIE T. KELLY, JR.,)	
Plaintiff,)	
VS.)))	ORDER
GEORGE T. SOLOMON, ET AL.,)	
Defendants.)	

THIS MATTER is before the Court on its September 21, 2017, Order requiring Plaintiff to pay the filing fee or file an application to proceed *in forma pauperis*. (Doc. No. 2). The Court warned Plaintiff that failing to do so within 10 days would result in this case's dismissal without prejudice. (Id.). Plaintiff has not filed a motion to proceed *in forma pauperis* or paid the filing fee and the time to do so has expired.

IT IS, THEREFORE, ORDERED that:

- (1) This action is dismissed without prejudice for Plaintiff's failure to comply with this Court's order dated September 21, 2017.
- (2) The Clerk of this Court is directed to terminate this action.

Signed: October 23, 2017

Frank D. Whitney

Chief United States District Judge